



West Virginia Senate

Committee on the Judiciary

Minutes for FEBRUARY 11, 2021, 10:00 AM

Pursuant to the call of the Chair, the Senate Committee on the Judiciary met on February 11, 2021, 10:00 AM in Room 208-W.

Members present: Senators Trump, Weld, Azinger, Grady, Karnes, Maynard, Phillips, Rucker, Smith, Stover, Woodrum, Beach, Caputo, Lindsay, Romano

Members absent: Senators Takubo, Woelfel

A silent roll call being taken, the presence of a quorum was established.

Chairman Trump introduced the 2021 Senate Committee on the Judiciary new members and staff.

On motion of Senator Weld, the committee adopted the Rules of the Senate to govern the committee in its deliberations.

On motion of Senator Weld, the committee authorized Chairman Trump to set an agenda of items to be considered by the committee.

On motion of Senator Weld, the committee authorized staff to, as needed, make any technical corrections to the bills, resolutions, and drafts which may be brought before the committee.

On motion of Senator Weld, the committee authorized counsel to incorporate all bills, or resolutions, as well as any necessary technical changes, into a committee substitute for the bill, or resolution, after the bill, or resolution, has been presented to the Committee and the Committee has voted to report the bill, or resolution, and to report it in lieu of the bill, or resolution.

On motion of Senator Weld, the committee adopted a requirement that witnesses appearing before the Committee, with the exception of Senate staff and elected officials, be administered the oath authorized by Senate Rule 28a.

On motion of Senator Weld, the committee authorized members who are physically present in their Capitol office be allowed to participate remotely in committee meetings and hearings as though they were physically present, such that members be counted as present in determining a quorum, and shall vote on every question pursuant to Senate Rule 43 and the Chair shall provide for simultaneous video and audio participation among members.

S. B. 78 - Relating to rehabilitative spousal support.

Laura Goins, Counsel, explained the bill and responded to questions.

On motion of Senator Weld, the committee reported the committee recommended the bill for passage.

S. B. 81 - Making technical corrections to WV Directed Trust Act.

Tom Smith, Chief Counsel, explained the bill, the purpose of the proposed committee substitute, and responded to questions.

With leave of the committee, Christopher J. Winton, Chair of the West Virginia State Bar Probate Committee, was administered the oath prescribed by Senate Rule 28a by Chairman Trump, addressed the committee, and responded to questions. (See attached oath.)

On motion of Senator Weld, the committee agreed to the committee substitute.

On motion of Senator Weld, the committee reported the committee substitute to the full Senate with the recommendation that it do pass.

S. JR. 4 - Incorporation of Churches or Religious Denominations Amendment.

Tom Smith, Chief Counsel, explained the joint resolution, and responded to questions.

Amber Wooten, Intern, addressed the committee and responded to questions.

With leave of the committee, Chris Alder, Assistant General Counsel, West Virginia Secretary of State, was administered the oath prescribed by Senate Rule 28a by Chairman Trump, addressed the committee, and responded to questions. (See attached oath.)

On motion of Senator Weld, the committee reported the resolution to the full Senate with the recommendation that it be adopted, but first be referred to the Committee of Finance.

On Motion of Senator Weld the committee adjourned.



Charles S. Trump IV

Chair



Beverly Douglas

Analyst/Clerk



The Senate of West Virginia

Remote/Virtual Testimony

Testimony taken this 11th day of February, 20 20, in
the Senate Committee on the Judiciary.

"I solemnly swear (or affirm) that the testimony I shall give shall be
the truth, the whole truth, and nothing but the truth, so help me
God."

Christopher Winton

Print Witness Name

Burke Douglas

Testimony Attested to by Committee
Clerk

Oath was administered by:

Charles S. Trump IV


Print Member Name

Charles S. Trump

Sign Member Name

"I solemnly swear (or affirm) that the testimony I shall give shall be the truth, the whole truth, and nothing but the truth, so help me God."

Chris Adler



Oath was administered by:

Chas. T. R.

Sign Member Name

New Members

- Senator Mike Caputo (D-Marion, 13)
- Senator Amy Grady (R-Mason, 4)
- Senator Robert Karnes (R-Randolph, 11)
- Senator Rupie Phillips (R-Logan, 7)
- Senator David “Bugs” Stover (R-Wyoming, 9)
- Senator Jack Woodrum (R-Summers, 10)

Per Diem Staff

- Amber Wooten, Intern – Amber is a fourth-year undergraduate student in Political Science at Marshall University and a Herndon Fellow. Amber is from Huntington, WV
- Sam Godschalk, Intern - Sam is a third-year undergraduate student in Political Science at Marshall University and a Herndon Fellow. Sam is from Proctorville, Ohio and served six years in the U.S. Army.
- Leslie Smith, Administrative Assistant – This is Leslie’s 2nd year with Judiciary; however, she is retired from the Senate and has previously worked for the House of Delegates during interims.
- Debra Graham, Committee Attorney – Having served the state for the majority of her life, Debra will be joining this committee for the 7th consecutive session.
- Laura Goins, Committee Attorney – Graduated from University of South Carolina School of Law. This is Laura’s 2nd session with the committee. Currently, Laura is a solo practitioner with Laura Goins Law PLLC.
- Mark Dean, Committee Attorney – Graduated from West Virginia University. Mark currently works for Steptoe & Johnson. This is Mark’s 1st session with the committee.
- Tom Smith, Chief Counsel, - this will be Tom’s 36th session. Tom started in 1986 under Senator Chaffin and has worked under 8 different Judiciary Chairs.

Full Time Staff

- Beverly Douglas, Committee Clerk/Analyst – This will be Beverly’s 4th session with the Judiciary Committee after previously helping with Senate Finance.

- Liz Schindzielortz, Committee Attorney – Graduated from the University of North Carolina School of Law. This is Liz’s 1st session with the Judiciary Committee, but she was a per diem attorney assigned to Minor Committees during the 2020 regular legislative session. Previously, Liz was a committee attorney for the House Committee on Government Organization, and prior to that she worked for law firms in Charleston and Huntington.
- Adair Sankoff, Director, Legislative Rule Making – Adair is on “loan” from the Joint Committee, and this will be her 6th session but 1st with the Judiciary Committee. Adair previously worked for House Judiciary.

All documents for each meeting will be uploaded to Chamber Automation, but if you prefer hard copies, please notify the Clerk.